

REMARKS

Summary of Office Action

Claims 1-6, 8-11 and 13-35 were pending in this application.

Claims 1-6, 13-16, 19-23, and 25-35 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schein et al. U.S. Patent No. 6,002,394 ("Schein") in view of Knee U.S. Patent No. 5,589,892 ("Knee").

Claims 8-11, 17, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Knee and further in view of Ward et al. U.S. Patent No. 6,756,997 ("Ward").

Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schein in view of Knee and further in view of Moncreiff U.S. Patent No. 5,828,839 ("Moncreiff").

Summary of Applicants' Reply

Applicants have amended independent claim 1 to more particularly define the claimed invention. No new matter has been added and the amendments are fully supported by the original specification (see, e.g., p. 19, l. 4 to l. 23).

The Examiner's rejections of claims 1-6, 8-11 and 13-35 are respectfully traversed.

The Rejection of Claims 1-11 and 13-35

Claims 1-6, 13-16, 19-23, and 25-35 were rejected as being unpatentable over Schein in view of Knee. Claims 8-10, 11, 17, and 24 were rejected as being unpatentable over Schein in view of Knee and further in view of Ward. Claim 18 was rejected as being unpatentable over Schein in view of Knee and further in view of Moncreiff. Applicants respectfully traverse these rejections.

Applicants' claimed invention, as recited in amended independent claim 1, is directed to an Internet television program guide system for providing program listings with embedded real time data. A web server receives television program listings with embedded real time data, and automatically displays the listings with embedded real time data "in response to a user request to view all listings" (claim 1, emphasis added)

For example, the user may select to display all listings by time, in response to which the system displays all listings, including listings with embedded real time data (p. 18, l. 22-p. 19, l. 3; FIG. 9).

In the Office Action, the Examiner concedes that Schein fails to disclose automatically displaying embedded

real time data with the television program listings without any user input. The Examiner attempts to make up for this deficiency using Knee.

Knee is directed to a television program guide system. To view program listings with embedded real time data, the user must first enter an "improved sports mode" (col. 41, ll. 57) which is a special mode by which the user may access information that is not suited for distribution in the form of a television program due to the expense of producing television programs and the limited interest in such information and that is not available in a non-improved guide mode (col. 42, ll. 12-14). When the user selects a "Today's Games" option in the improved sports mode, the program guide system displays a list of all the games played in various sports, the channel on which each game is available, if televised, and real time data (e.g., current score and time remaining) (col. 43, ll. 19-32). In contrast, when the user in Knee instructs the program guide to display all listings in the all listings mode, real time data is not embedded in the program listings (e.g., Baseball in FIG. 18 does not have embedded real time score or inning data in the all listings mode).

Thus, real-time data is specialized data that Knee provides embedded in program listings is not displayed in response to a user instruction to display all listings. Instead, Knee, provides listings with embedded real time data only in response to a user selection of an "improved" mode (e.g., improved sports mode).

For at least the foregoing reason, applicants submit that independent claim 1 is allowable over Schein and Knee. Claims 2-6, 8-11 and 13-35, which depend from independent claim 1, are also allowable for at least the reason that independent claim 1 is allowable.¹ Accordingly, applicants respectfully request the rejection of claims 1-6, 8-11 and 13-35 under 35 U.S.C. § 103(a) be withdrawn.

¹ Applicants reserve the right to argue the separate patentability of these claims should prosecution continue.



Conclusion

The foregoing demonstrates that claims 1-6, 8-11 and 13-35 are allowable. This application is therefore in condition for allowance. Reconsideration and allowance are accordingly respectfully requested.

Respectfully submitted,

Paul E. Leblond

Paul E. Leblond
Reg. No. 58,397
Agent for Applicants
Fish & Neave IP Group
Ropes & Gray LLP
Customer No. 1473
1211 Avenue of the Americas
New York, New York 10036
Tel.: (212) 596-9000
Fax: (212) 596-9090